

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MASSACHUSETTS BAY INSURANCE CO. :  
et al., :  
:

Plaintiffs, :

- against - :

SENECA INSURANCE COMPANY Inc., et al., :

Defendants. :  
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**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 11/28/2023

21-CV-9184 (CM) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

As discussed at the discovery conference held on November 28, 2023 via Teams, the parties shall meet and confer and by December 8, 2023 shall jointly file a proposed revised discovery schedule. The schedule shall provide that the depositions of Plaintiff's three witnesses will be completed by the end of January. The parties shall cooperate in finding mutually acceptable dates; however, if Seneca is not sufficiently flexible and forthcoming with dates, the Court will impose them. The Court's order of August 16, 2023 required the depositions of Seneca's deponents to be completed by November 14, 2023. During the conference, Seneca could not provide any explanation for why the deadline was not met. Seneca, and all parties, are reminded that court orders cannot be ignored. In the event that Seneca is not sufficiently cooperative and does not make its deponents available to be deposed within the timeframe provided, sanctions – which may include striking the Complaint, monetary sanctions, and/or other sanctions – will be imposed.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: November 28, 2023  
New York, New York

Copies transmitted this date to all counsel of record.